REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-11, and 16-21 are currently pending in the present application. Claims 1, 3, 6-8, 10, and 11 have been amended by the current amendment. Support for the amendments is found in Figure 8 and the corresponding disclosure of the Specification. Thus, no new matter has been added.

In the outstanding Office Action, Claims 1 and 3-11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Matsumoto et al. (U.S. Patent Publication No. 2002/0066042 A1, hereafter "Matsumoto") and Suzuki (U.S. Patent No. 6,612,488 B2) in view of Ukai et al. (U.S. Patent Publication No. 2002/0077907 A1, hereafter "Ukai") and Howard et al. (U.S. Patent Publication No. 2003/0212465).

Briefly recapitulating, the present invention (claim 1) is directed to a communication system including a settlement management apparatus and a portable information terminal. The settlement management apparatus includes, among other things, a storage controller configured to store, when judging means decides that identification information is valid, the identification information in the portable information terminal. The portable information terminal includes, among other things, a wireless reader configured to read the identification information from a contactless IC chip provided in a credit card; storage means including (a) memory means partitioned into a common area and a plurality of individually allotted areas (hereinafter referred to as "the memory partition feature"), and (b) memory manager means for storing the identification information including a card ID and an associated registered service information in the common area. The common area is configured to store information other than service provider provided information. Such a configuration enables a plurality of applications utilizing the wireless reader to access a common area of the memory

10

and form without constraint a region where data is stored. See the Specification page 32, lines 5-12.

Independent Claim 3 is directed to the settlement management apparatus and defines, among other things, a storage controller configured to store the identification information including a card ID corresponding to the contactless IC chip and an associated registered service in a common area of a memory of the portable information terminal when said judging means decides that the identification information is valid; and management means for managing registration information of a plurality of merchandise each of which has been registered via a merchandise registration procedure with said settlement management apparatus and each of which has a corresponding barcode generated by said management means, and for managing communication with individually allotted areas of the memory of the portable information terminal.

Independent claim 6 is directed to a settlement management method, claim 10 is directed to an information processing method, and independent claims 7 and 11 are directed to a computer readable carrier including program instructions that cause a computer to implement a method of settlement. Claims 6, 7, 10, and 11 define the memory partition feature of the present invention.

Independent Claim 8 is directed to the portable information terminal and defines the memory partition feature of the present invention.

In contrast to the present invention, Matsumoto fails to teach or suggest a memory manager or the memory partition feature of the present invention. As illustrated in Figures 11 and 12 and stated in paragraphs [0111] and [0112], the mobile telephone 1 includes a memory 15 such as RAM or ROM. However, Matsumoto fails to teach or suggest that the memory 15 can be partitioned or managed by a memory manager. Suzuki merely illustrates in Figure 2 that telephone 100 includes memory 123. However, Suzuki does not teach or

suggest that the memory 123 can be partitioned or managed by a memory manager.

Consequently, <u>Suzuki</u> does not remedy the deficiencies of <u>Matsumoto</u>.

Additionally, the official action concedes that <u>Matsumoto</u> fails to disclose that

information stored on the IC card is stored in the mobile terminal after the settlement terminal

determines that it is valid. Applicants agree. However, the official action further asserts that

<u>Suzuki</u> teaches such a feature and that it would have been obvious "to allow card transaction

terminal to control the portable terminal device ... as taught by Suzuki ... in the system of

Matsumoto et al. ...." Applicants respectfully traverse. As can be seen from Figures 6 and 8

of <u>Suzuki</u>, the card information is stored in the user's cellular phone and then forwarded to

the card transaction terminal and not vice-versa. Consequently, unlike the present invention,

the system of <u>Suzuki</u> can be spoofed.

For the foregoing reasons, <u>Matsumoto</u> is not believed to anticipate the subject matter

defined by the independent claims when considered alone or in combination with the applied

secondary art.

Consequently, no further issues are believed to remain and an early and favorable

action is respectfully requested.

Respectfully submitted,

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
BDL:MS

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

W. Todd Baker
Registration No. 45,265